

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Mason, Wenda M.  
Title: FATTY ACID-BASED  
HERBICIDAL  
COMPOSITION  
Application No.: 09/692,797  
Filing Date: 10/20/2000  
Examiner: Not yet determined  
Art Unit: 1616  
Attorney Docket No.: 23261/162

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.  <u>Charles G. Carter</u> (Printed Name)  <u>[Signature]</u> (Signature)  <u>March 28, 2001</u> (Date of Deposit)
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Commissioner for Patents  
Washington, D.C. 20231

Attention: **Director, Group 1600**

**TRANSMITTAL**

Transmitted herewith, via facsimile, are the following documents for the above-identified application. A confirmation copy of these documents will be hand delivered to John J. Doll, Director, Group 1600.

[ X ] Request For Withdrawal As Attorney (37 C.F.R. 10.40(c)) (5 pgs.) in triplicate.


[ X ] Copy of Letter to Client (1 pg.).

**RECEIVED**  
**APR 03 2001**  
**TECH CENTER 1600/2900**  
Attorney Docket No. 23261/162

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date March 28, 2007

By 

FOLEY & LARDNER  
Firststar Center  
777 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-5367  
Telephone: (414) 297-5842  
Facsimile: (414) 297-4900

Charles G. Carter  
Attorney for Applicant  
Registration No. 35,093

Practitioner's Docket No. 23261/162

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mason, Wenda

Serial No.: 09 / 692,797

Group No.: 1616

Filed: October 20, 2000

Examiner: Not yet determined

For: FATTY ACID-BASED HERBICIDAL COMPOSITION

Assistant Commissioner for Patents  
Washington, D.C. 20231

ATTENTION: Director, Group 1600

**REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. 10.40(c))**

*NOTE: Withdrawal is effective when approved. At least 30 days between approval and expiration of a time response period is required. This is so that the applicant will have sufficient time to obtain other representation or take other action. If less than thirty days remain in a running response period, a request to withdraw is normally disapproved. It would be helpful if a request and fee, preferably an authorization to charge a deposit account, were included with a request to withdraw. Such would permit the Office to make sure, in most instances, that sufficient time remains in the period for response. MPEP § 402.06 and Notice of September 3, 1985 (1058 O.G. 32-33).*

Petitioner requests that a copy of the decision on the Request for Withdrawal be sent to the undersigned via facsimile at (414) 297-4900.

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

**FACSIMILE**

- ☒ transmitted by facsimile to the Patent and Trademark Office.

**Confirmation via Hand Delivery.**



Signature

Charles G. Carter

(type or print name of person certifying)

Date: March 28, 2007

## REQUEST FOR PERMISSION TO WITHDRAW

NOTE: "If a period has been set for response and the period may be extended [without a showing of cause pursuant to 37 C.F.R. 1.136(a)] by filing a petition for extension of time and fee, it is not necessary to seek such extension of time for withdrawal to be approved. In such a situation, however, withdrawal will not be approved unless at least 30 days would remain between the date of approval and the last date on which such a petition for extension of time and fee could properly be filed." Notice of November 30, 1990 (1122 O.G. 571 to 591).

1. I, an attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. 1.36.

(complete the following item, if appropriate)

- ☐ Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below under

☐ 37 C.F.R. 1.60(b),

☐ 37 C.F.R. 1.62(c),

this withdrawal request is also for such continuing application.

### LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the:

☐ inventor(s)

☒ assignee of the entire interest

is Safer, Inc.

9555 James Avenue South, Suite 200, Bloomington, Minnesota 55431

### BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c) §(s) (1)(vi)

Explanation (including brief description of exhibits, if any):

Failure to pay bills for an unreasonable period of time.

## ALLOWANCE OF TIME FOR CLIENT TO ACT

### 4. Status of this Application

#### A. Response due (if any)

- (i) ☐ There is no outstanding term for response.
- (ii) ☒ There is an outstanding term for response that was set to expire on February 11, 2001

The above term is extendible under 37 C.F.R. 1.136(a), until June 11, 2001 and the fees for such extension

☐ are

☒ are not

being submitted herewith.

NOTE: "If a period has been set for response and the period may be extended without a showing of cause pursuant to 37 C.F.R. 1.136(a) by filing a petition for extension of time and fee, the practitioner will not be required to seek such extension of time for withdrawal to be approved." Notice of December 10, 1987, 1086 OG 457.

(complete the following, if applicable)

- (iii) ☐ Also submitted herewith, is a response to the outstanding Official Action.

#### B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. 1.136(a), is:

☒ at least 70 days

☐ cannot be calculated because this case is/will now be awaiting action by the PTO.

## NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. 10.40(a), a copy of this request, including attachments, is being sent to the client.

A copy of the letter to the client is attached.

NOTE: A practitioner shall not withdraw from employment without giving due notice to his or her client. 37 C.F.R. 10.40(a).

## NUMBER OF COPIES OF REQUEST

6. This request is enclosed in triplicate.

NOTE: "To expedite the handling of request for permission to withdraw as attorney under 37 C.F.R. § 1.36 submit the request in triplicate (original and two copies. . ." Notice of September 3, 1985 (1058 O.G. 32).

**7. Related Applications for Which Withdrawal is Requested**

Withdrawal also is (has been) requested in the following related applications of the:

(check all applicable items)

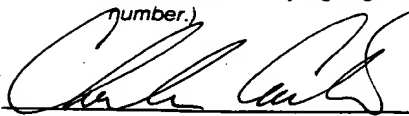
- ☐ inventor:  
☐ assignee:  
☐ common representative:

<u>Application Number</u>	<u>Group</u>	<u>Status of Withdrawal request</u>
/		
/		
/		

**SIGNATURE(S) OF WITHDRAWING ATTORNEY(S) (PRACTITIONER(S))**

**8. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on behalf of an attorney withdrawing)**

(list all the attorneys, and registration numbers, appearing on declaration or power, as appropriate. An authorized attorney signing on behalf of a withdrawing attorney should also show his or her registration number.)

 3/28/07  
Signature of withdrawing attorney  
(practitioner)

Charles G. Carter

Reg. No. 35,093

(type or print name of withdrawing  
attorney (practitioner) and registration number)

RUSSELL J. BARRON	Reg. No. 29,512
DAVID J. BATES	Reg. No. 39,902
STEVEN C. BECKER	Reg. No. 42,308
DOUGLAS A. BOEHM	Reg. No. 32,014
EDWARD W. BROWN	Reg. No. 22,022
LISA A. BRZYCKI	Reg. No. 40,926
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JEFFREY N. COSTAKOS	Reg. No. 34,144
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RICHARD J. MC KENNA	Reg. No. 35,610
JAMES G. MORROW	Reg. No. 32,505

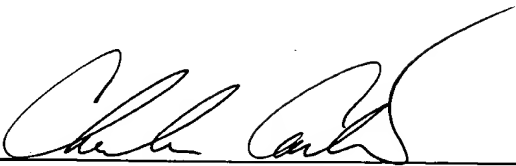
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SIGNATURE OF PRACTITIONER

Charles G. Carter

*(type or print name of practitioner)*

Foley & Lardner

P.O. Address

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